

**DECISION NOTICE
MAKOSHIKA STATE PARK SITE ACQUISITION**

**Prepared by Region 7, Montana Fish, Wildlife & Parks
P.O. Box 1630
Miles City, MT 59301**

September 28, 2010

PROPOSAL

Montana Fish, Wildlife & Parks (FWP) proposed accepting the donation of a 160-acre property located within the external boundaries of Makoshika State Park. Acquisition of this property, which Makoshika State Park has been managing for the past 57 years through a yearly recreational easement with the owners, has been a paramount objective of Montana State Parks since the inception of what is now Makoshika State Park almost six decades ago.

The acquisition is being proposed to end the possible liability and continued threat to proper management of Makoshika State Park and the inability of park visitors to lawfully access the property.

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS

The proposed land acquisition was the subject of the “Draft Environmental Assessment: McCarty Land Donation”, which described the project and analyzed its potential effects on the human and natural environment. The environmental assessment, conducted pursuant to the Montana Environmental Policy Act (MEPA), was released to the public on August 26, 2010 and open to comment through September 24, 2010. The environmental assessment found that no significant adverse impacts would result from the land acquisition.

SUMMMARY OF PUBLIC COMMENTS

FWP received one public comment, in the form of an e-mail response, to the environmental assessment. The comment received supported FWP’s proposal. Additional public comment was received at a Friends of Makoshika meeting, September 20, 2010 when the eight members present unanimously supported the proposal. Additional public support of the proposal dates back to 2005 when the Makoshika State Park Management Plan was approved. Acquisition of the McCarty property was identified as “a high priority” within the plan. Development of the management plan included two open houses and solicitation of public comment.

DISCUSSION

It is the wish of Mrs. Jerree Scheitlin, the last living primary descendant of the McCarty family, and her family, for Montana State Parks to become the final beneficiary of this property through donation. Acquisition of this property has been a paramount objective of Montanan State Parks since the inception of what is now Makoshika State Park almost six decades ago. For the past 57 years, Makoshika State Park has been contractually obligated to this property through a yearly recreational easement.

A major step in the history of Makoshika State Park occurred in the 1940's when A.J. McCarty and his wife Katherine donated land to Dawson County under the stipulation that it become part of a park for the people. The original family cabin and 160 acres of land that it sat on were kept by the McCarty family as a private refuge and retreat.

The McCarty property and its associated improvements have long been identified as a potential threat to the management and integrity of the park. The department currently has no true maintenance authority for the property nor how the property is utilized. The acquisition of this property will close potential related liabilities and threats and afford park visitors the opportunity for lawful access without trespassing.

DECISION

Based on the Environmental Assessment, public comment, and FWP evaluation, it is my decision to proceed with the proposed action alternative A, as described in the McCarty Land Donation Draft Environmental Assessment, and recommend the FWP Commission accept donation of the 160-acre tract of property for inclusion into Makoshika State Park and subsequent management as a public resource.



John Little
Region 7 Parks Manager
Miles City, Montana
September 28, 2010